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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/266,680	03/11/1999	JEFF YOUNG	07844/292001	6131

21876 7590 07/16/2002

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EXAMINER

BASHORE, WILLIAM L

ART UNIT PAPER NUMBER

2176

DATE MAILED: 07/16/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/266,680

Applicant(s)

YOUNG ET AL.

Examiner

William L. Bashore

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 April 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2,3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communication: original application filed 3/11/1999. IDS filed 12/3/2001 (paper 2), and 4/11/2002 (paper 3). Reference AN from IDS paper 3 cannot be considered, because a European Search Report (by itself) cannot be listed as IDS.
2. Claims 1-28 are pending. Claims 1, 10, 13, 14, 22, 25 and 28 are independent claims

Claim Rejections - 35 USC § 101

3. **35 U.S.C. 101 reads as follows:**

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. **Claims 1, 14, 22 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.**

In regard to independent claims 1, 14, 22, the combined limitations within each said claim can be directed to mental/manual steps as applied to printed subject matter (i.e. visual inspection of printed source code), and is therefore directed to non-statutory subject matter. The Examiner's suggestion of changing "*A method of*" to "*A computer executable method of*" in each of said claims will overcome this rejection.

Examiner's Note

5. The following set of rejections are based upon a possible interpretation of the phrase "*A method of*" as "*A computer executable method of*", as set forth by the Examiner (see above).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takasawa et al. (hereinafter Takasawa), UK Patent Application, GB 2 307 571 A, publication date May 28, 1997.

In regard to independent claim 1, Takasawa teaches:

- generation of a document type definition (DTD) of a plurality of source documents, subsequent to analysis of said plurality of source documents (Takasawa Abstract, also middle of page 5 to top of page 6; compare with claim 1 "*A method of generating a definition for a collection of source documents comprising:*").

- a structure list for "totalizing" extracted logical structure information from sample documents (Takasawa page 9, near bottom). Takasawa parses documents, and compares various elements to elements and attributes in said structure list (i.e. appearance frequency), resulting in a listed pattern of structured elements, precipitating generation of a DTD based upon said list (Takasawa page 9 near bottom, to page 10 at top, also pages 11-12, and page 16 at bottom, Figures 8-11; compare with claim 1 "*identifying patterns common to each source document in the collection of source documents;*").

- creation of a DTD based upon the analyzation of a final structure list, said DTD comprehensively specifying logical structures (utilizing element and attribute declarations) of sample

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documents (Takasawa, middle of page 19, to bottom of page 20; compare with claim 1 “*constructing for an element type... based on the identified common patterns.*”).

- the limitation of a “*restrictive general rule*” would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Takasawa, because Takasawa teaches generation of a DTD (Takasawa Abstract). Since it is known that a DTD specification defines the structure of a document, forcing adherence to specific rules of a markup language, said generation of a DTD suggests a set of rules applied to a document, restricting said document to constraints set forth by a particular language standard. The application of general restrictive rules provides Takasawa the benefit of simplifying the exchange of similar documents for reuse (Takasawa page 1 at middle).

In regard to dependent claim 2, Takasawa teaches identifying common attributes and types (Takasawa page 12 near top, also page 16 bottom, and Figures 8-11; compare with claim 2).

In regard to dependent claim 3, identification of restricted attributes would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Takasawa, because Takasawa teaches generation of a DTD. Since it is known that a DTD specification defines the structure of a document, forcing adherence to specific rules of a markup language, said generation of a DTD suggests a set of rules applied to a document, restricting said document to constraints set forth by a particular language standard. The application of identification of restrictive attributes provides Takasawa the benefit of simplifying the exchange of similar documents for reuse (Takasawa page 1 at middle).

In regard to dependent claim 4, Takasawa teaches number of occurrences, examination of attribute values and types, and associations (Takasawa, from middle of page 11, to bottom of page 12, also Figures 8-11; compare with claim 4).

In regard to dependent claims 5, 6, claims 5, 6 are rejected using the same rationale as set forth in the Examiner's current rejection of claim 3.

In regard to dependent claim 7, Takasawa teaches a structure list comprising appearance frequency, Appearance sequence, and Hierarchical level of various content elements (Takasawa Figure 8; compare with claim 7).

In regard to dependent claim 8, Takasawa teaches generation of a DTD based upon analysis of source documents. Since it is known that a DTD specification defines the structure of a document, forcing adherence to specific rules of a markup language, said generation of a DTD suggests a set of rules applied to a document, restricting said document to constraints set forth by a particular language standard. The application of attribute definitions provides Takasawa the benefit of simplifying the exchange of similar documents for reuse (Takasawa page 1 at middle).

In regard to dependent claim 9, claim 9 incorporates substantially similar subject matter as claimed in claim 1 (regarding a restrictive general rule), and in further view of the following, is rejected along the same rationale.

The limitation of identification of patterns found to achieve a predetermined threshold of commonness, would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Takasawa, because Takasawa teaches an Appearance frequency of content (Takasawa Figure 8), suggesting a threshold used for determining element frequency within source documents, providing Takasawa the benefit of thresholds for decision purposes.

In regard to independent claim 10, Takasawa teaches:

- generation of a document type definition (DTD) of a plurality of source documents, subsequent to analysis of said plurality of source documents (Takasawa Abstract, also middle of page 5 to top of page 6; compare with claim 10 “*A computer program.... a document type definition for a collection of source documents....causing a computer system to:*”).

- a structure list for “totalizing” extracted logical structure information from sample documents (Takasawa page 9, near bottom). Takasawa parses documents, and compares various elements to elements and attributes in said structure list (i.e. appearance frequency), resulting in a listed pattern of structured elements, precipitating generation of a DTD based upon said list (Takasawa page 9 near bottom, to page 10 at top, also pages 11-12, and page 16 at bottom, Figures 8-11; compare with claim 10 “*identify patterns common to each source document in the collection of source documents;*”).

- creation of a DTD based upon the analyzation of a final structure list, said DTD comprehensively specifying logical structures (utilizing element and attribute declarations) of sample documents (Takasawa, middle of page 19, to bottom of page 20; compare with claim 10 “*construct for an element type....based on the identified common patterns.*”).

- the limitation of a “*restrictive general rule*” would have been obvious to one of ordinary skill the art at the time of the invention, in view of Takasawa, because Takasawa teaches generation of a DTD (Takasawa Abstract). Since it is known that a DTD specification defines the structure of a document, forcing adherence to specific rules of a markup language, said generation of a DTD suggests a set of rules applied to a document, restricting said document to constraints set forth by a particular language standard.

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The application of general restrictive rules provides Takasawa the benefit of simplifying the exchange of similar documents for reuse (Takasawa page 1 at middle).

In regard to dependent claim 11, Takasawa teaches identifying common attributes and types (Takasawa page 12 near top, also page 16 bottom, and Figures 8-11; compare with claim 11).

In regard to dependent claim 12, identification of restricted attributes would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Takasawa, because Takasawa teaches generation of a DTD. Since it is known that a DTD specification defines the structure of a document, forcing adherence to specific rules of a markup language, said generation of a DTD suggests a set of rules applied to a document, restricting said document to constraints set forth by a particular language standard. The application of identification of restrictive attributes provides Takasawa the benefit of simplifying the exchange of similar documents for reuse (Takasawa page 1 at middle).

In regard to independent claim 13, Takasawa teaches:

- a computer CPU and memory, and a storage medium (hard disk) (Takasawa page 25 near bottom, to page 26; compare with claim 13 “*a storage device*”, and “*a computer processor*”).
- generation of a document type definition (DTD) of a plurality of source documents, subsequent to analysis of said plurality of source documents (Takasawa Abstract, also middle of page 5 to top of page 6; compare with claim 13 “*configured by a document type definition*”).
- a structure list for “totalizing” extracted logical structure information from sample documents (Takasawa page 9, near bottom). Takasawa parses documents, and compares various elements to elements and attributes in said structure list (i.e. appearance frequency), resulting in a listed pattern of structured

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elements, precipitating generation of a DTD based upon said list (Takasawa page 9 near bottom, to page 10 at top, also pages 11-12, and page 16 at bottom, Figures 8-11; compare with claim 13 “*to identify patterns common to each source document in the set of source documents*”).

- creation of a DTD based upon the analyzation of a final structure list, said DTD comprehensively specifying logical structures (utilizing element and attribute declarations) of sample documents (Takasawa, middle of page 19, to bottom of page 20; compare with claim 13 “*and construct for an element type....based on the identified common patterns.*”).

- the limitation of a “*restrictive general rule*” would have been obvious to one of ordinary skill the art at the time of the invention, in view of Takasawa, because Takasawa teaches generation of a DTD (Takasawa Abstract). Since it is known that a DTD specification defines the structure of a document, forcing adherence to specific rules of a markup language, said generation of a DTD suggests a set of rules applied to a document, restricting said document to constraints set forth by a particular language standard. The application of general restrictive rules provides Takasawa the benefit of simplifying the exchange of similar documents for reuse (Takasawa page 1 at middle).

8. **Claims 14-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama et al. (hereinafter Motoyama), U.S. Patent No. 6,009,436 issued December 28, 1999, in view of Takasawa et al. (hereinafter Takasawa), UK Patent Application, GB 2 307 571 A, publication date May 28, 1997.**

In regard to independent claim 14, Motoyama teaches:

- converting a format of a first source document (SGML) into a format of another similarly structured document (HTML) (Motoyama Abstract, column 3 lines 27-29, column 6 lines 30-32; compare with claim 14 “*A method of converting....the method comprising:*”).

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- Motoyama does not specifically teach identifying patterns common within documents.

However, Takasawa teaches a structure list for “totalizing” extracted logical structure information from sample documents (Takasawa page 9, near bottom). Takasawa parses documents, and compares various elements to elements and attributes in said structure list (i.e. appearance frequency), resulting in a listed pattern of structured elements in the documents, precipitating generation of a DTD based upon said list (Takasawa page 9 near bottom, to page 10 at top, also pages 11-12, and page 16 at bottom, Figures 8-11; compare with claim 14 “*identifying patterns common to the first and second source documents;*”, and “*using the identified common patterns*”). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Takasawa’s pattern identification to Motoyama, providing Motoyama the benefit of simplifying the exchange of similar documents for reuse, by taking into account common patterns in the mapping process (Takasawa page 1 at middle).

- mapping elements and sub-elements from one source document to equivalent elements and sub-elements in the second document, the mapping of SGML elements to HTML elements are used by Motoyama to produce documents accordingly (Motoyama column 6 lines 1-10, Appendix B, D, Figures 3A- 3B; compare with claim 14 “*map elements and sub-elementsin the second source document.*”).

In regard to dependent claim 15, Motoyama teaches mappings within Appendices A-D, said appendices comprising various tag replacement (Motoyama column 29 line 45, to column 31 line 48; compare with claim 15).

In regard to dependent claim 16, Motoyama teaches transformation of an SGML document into an HTML document, said transformation incorporating analyzation of their respective DTDs, and utilizing the mappings of Appendices A-D (Motoyama Abstract, column 6 lines 1-4, 30-32, Appendices A-D, Figures 3A-3B; compare with claim 16).

In regard to dependent claim 17, Motoyama does not specifically teach creating a DTD if one does not exist in the first document. However, Takasawa teaches a DTD created from analyzation of structured information from a sample document (Takasawa page 4 at middle; compare with claim 17). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Takasawa's DTD creation to Motoyama, providing Motoyama the flexibility of creating an initial DTD if needed.

In regard to dependent claim 18, claim 18 is rejected using the same rejection and rationale as set forth by the Examiner in the current rejection of claim 14.

In regard to dependent claim 19, Motoyama teaches mapping from SGML to HTML utilizing mapping tables of Appendices A-D, said mapping utilizing various heuristics in order to perform said mapping (Motoyama Appendix A-D; compare with claim 19).

In regard to dependent claim 20, claim 20 is rejected using the same rejection and rationale as set forth by the Examiner in the current rejection of claims 19.

In regard to dependent claim 21, claim 21 incorporates substantially similar subject matter as claimed in claim 14, and in further view of the following, is rejected along the same rationale.

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Motoyama teaches that processing systems are known in which a processor converts a markup language document automatically into another format (Motoyama column 2 lines 42-45; compare with claim 21).

In regard to independent claim 22, Motoyama teaches:

- converting a format of a first source document (SGML) into a format of another similarly structured document (HTML) (Motoyama Abstract, column 3 lines 27-29, column 6 lines 30-32; compare with claim 22 “*A method of converting...the method comprising:*”).

- Motoyama does not specifically teach identifying patterns common within documents.

However, Takasawa teaches a structure list for “totalizing” extracted logical structure information from sample documents (Takasawa page 9, near bottom). Takasawa parses documents, and compares various elements to elements and attributes in said structure list (i.e. appearance frequency), resulting in a listed pattern of structured elements in the documents, precipitating generation of a DTD based upon said list (Takasawa page 9 near bottom, to page 10 at top, also pages 11-12, and page 16 at bottom, Figures 8-11; compare with claim 22 “*identifying patterns common to the source document and the set of source documents;*”, and “*the common pattern*”). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Takasawa’s pattern identification to Motoyama, providing Motoyama the benefit of simplifying the exchange of similar documents for reuse, by taking into account common patterns in the mapping process (Takasawa page 1 at middle).

- mapping elements and sub-elements from one source document to equivalent elements and sub-elements in the second document, the mapping of SGML elements to HTML elements are used by Motoyama to produce documents accordingly (Motoyama column 6 lines 1-10, Appendix B, D, Figures 3A- 3B; compare with claim 22 “*mapping elements and sub-elements....in the set of source documents.*”,

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and “*in common pattern of the source document*”, and “*in common pattern of the set of source documents*”).

- Motoyama teaches mappings within Appendices A-D, said appendices comprising various tag replacement (Motoyama column 29 line 45, to column 31 line 48; compare with claim 22 “*replacing tag names*”).

In regard to dependent claim 23, Motoyama teaches transformation of an SGML document into an HTML document, said transformation incorporating analyzation of their respective DTDs, and utilizing the mappings of Appendices A-D (Motoyama Abstract, column 6 lines 1-4, 30-32, Appendices A-D, Figures 3A-3B; compare with claim 23).

In regard to dependent claim 24, Motoyama does not specifically teach creating a DTD if one does not exist in the first document. However, Takasawa teaches a DTD created from analyzation of structured information from a sample document (Takasawa page 4 at middle; compare with claim 24). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Takasawa’s DTD creation to Motoyama, providing Motoyama the flexibility of creating an initial DTD if needed.

In regard to independent claim 25, Motoyama teaches:

- converting a format of a first source document (SGML) into a format of another similarly structured document (HTML) (Motoyama Abstract, column 3 lines 27-29, column 6 lines 30-32; compare with claim 25 “*A computer program....causing a computer system to:*”).

- Motoyama does not specifically teach identifying patterns common within documents. However, Takasawa teaches a structure list for “totalizing” extracted logical structure information from

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sample documents (Takasawa page 9, near bottom). Takasawa parses documents, and compares various elements to elements and attributes in said structure list (i.e. appearance frequency), resulting in a listed pattern of structured elements in the documents, precipitating generation of a DTD based upon said list (Takasawa page 9 near bottom, to page 10 at top, also pages 11-12, and page 16 at bottom, Figures 8-11; compare with claim 25 “*identify patterns common to the first and second source documents;*”, and “*using the identified common patterns*”). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Takasawa’s pattern identification to Motoyama, providing Motoyama the benefit of simplifying the exchange of similar documents for reuse, by taking into account common patterns in the mapping process (Takasawa page 1 at middle).

- mapping elements and sub-elements from one source document to equivalent elements and sub-elements in the second document, the mapping of SGML elements to HTML elements are used by Motoyama to produce documents accordingly (Motoyama column 6 lines 1-10, Appendix B, D, Figures 3A- 3B; compare with claim 25 “*map elements and sub-elements...of the second source document.*”).

In regard to dependent claim 26, Motoyama teaches mappings within Appendices A-D, said appendices comprising various tag replacement (Motoyama column 29 line 45, to column 31 line 48; compare with claim 26).

In regard to dependent claim 27, Motoyama teaches transformation of an SGML document into an HTML document, said transformation incorporating analyzation of their respective DTDs, and utilizing the mappings of Appendices A-D (Motoyama Abstract, column 6 lines 1-4, 30-32, Appendices A-D, Figures 3A-3B; compare with claim 27).

In regard to independent claim 28, Motoyama teaches:

- a storage device (Motoyama Figure 19 item 1236; compare with claim 28 “*a storage device*”).
- converting a format of a first source document (SGML) into a format of another similarly structured document (HTML) (Motoyama Abstract, column 3 lines 27-29, column 6 lines 30-32; compare with claim 28 “*A computer system comprising*”, and “*for storing a source document...the set of source documents;*”).
- Motoyama does not specifically teach identifying patterns common within documents.

However, Takasawa teaches a structure list for “totalizing” extracted logical structure information from sample documents (Takasawa page 9, near bottom). Takasawa parses documents, and compares various elements to elements and attributes in said structure list (i.e. appearance frequency), resulting in a listed pattern of structured elements in the documents, precipitating generation of a DTD based upon said list (Takasawa page 9 near bottom, to page 10 at top, also pages 11-12, and page 16 at bottom, Figures 8-11; compare with claim 28 “*identify patterns common to the first and second source documents;*”). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Takasawa’s pattern identification to Motoyama, providing Motoyama the benefit of simplifying the exchange of similar documents for reuse, by taking into account common patterns in the mapping process (Takasawa page 1 at middle).

- mapping elements and sub-elements from one source document to equivalent elements and sub-elements in the second document, the mapping of SGML elements to HTML elements are used by Motoyama to produce documents accordingly (Motoyama column 6 lines 1-10, Appendix B, D, Figures 3A- 3B; compare with claim 28 “*map elements and sub-elements...of the set of source documents.*”).

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Conclusion

9. **Prior art made of record and not relied upon is considered pertinent to disclosure.**

Kudoh et al.	U.S. Patent No. 5,948,058	issued	09-1999
Johnson et al.	U.S. Patent No. 6,212,532	issued	04-2001
Sherman et al.	U.S. Patent No. 6,031,625	issued	02-2000

Wang, Ke. et al., Discovering typical structures of documents: a road map approach, Annual ACM Conference on Research and Development in Information Retrieval, August 1998, pp. 146-154.

Poullet, L. et al., Semantic structuring of documents, IEEE Information Technology, July 4, 1997, pp. 118-124.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William Bashore whose telephone number is (703) 308-5807. The examiner can normally be reached on Monday through Friday from 11:30 AM to 8:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on (703) 308-5186.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

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11. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 746-7239 (for formal communications intended for entry)

or:

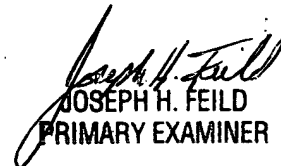
(703) 746-7240 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

or:

(703) 746-7238 (for after-final communications)

**Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Fourth Floor (Receptionist).**

William L. Bashore
07/11/2002


JOSEPH H. FEILD
PRIMARY EXAMINER